

DOCKET NO.: 3DP-0544

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Barry A. Springer, et al.

Application No.: 10/785,436

Filing Date: February 23, 2004

For: ANALOGS OF HUMAN BASIC FIBROBLAST GROWTH FACTOR

Confirmation No.:

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

DATE OF DEPOSIT:

6/2/04

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Andrew T. Serafini  
REGISTRATION NO.: 41,303

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of

the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).


## EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1 thru 95** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **09/722,495**, filed **November 28, 2000**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: 6/2/04

  
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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. <b>3DP-0544</b>	Application No. <b>10/785,436</b>
		Applicant <b>Barry A. Springer, et al.</b>	
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	1	Ago, H. et al., "Crystal Structure of Basic Fibroblast Growth Factor at 1.6 A Resolut'on", <i>J. Biochem</i> , <b>1991</b> , 110, 360-363	
	2	Arakawa, T. et al., "Characterization of a Cysteine-Free Analog of Recombinant Human Basic Fibroblast Growth Factor", <i>Biochem. Biophys. Comm.</i> , <b>1989</b> , 161(1), 335-341	
	3	Arakawa, T. et al., "The Importance of Arg40 and 45 in the Mitogenic Activity and Structural Stability of Basic Fibroblast Growth Factor-Effects of Acidic Amino Acid Substitutions", <i>J. Prot. Chem.</i> , <b>1995</b> , 14(5), 263-274	
	4	Basilico, C. et al., "The FGF Family of Growth Factors and Oncogenes", <i>Adv. Canc. Res.</i> , <b>1992</b> , 59, 115-165	
	5	Blaber, M. et al., "X-ray Crystal Structure of Human Acidic Fibroblast Growth Factor", <i>Biochemistry</i> , <b>1996</b> , 35(7), 2086-2094	
	6	Bowie, J. et al., "Deciphering the Message in Protein Sequences: Tolerance to Amino Acid Substitutions", <i>Science</i> , <b>1990</b> , 247, 1306-1310	
	7	Burgess, W.H. et al., "Possible Dissociation of the Heparin-Binding and Mitogenic Activities of Heparin-Binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-b-Inding Activities by Site-directed Mutagenesis of a Single Lysine Residue", <i>J. Cell. Biol.</i> , <b>1990</b> , 111, 2129-2138	
	8	Burgess, W.H. et al., "Structure-function Studies of FGF-1: Dissociation and Partial Reconstitution of Certain of its Biological Activities", <i>Molec. Reprod. Devel.</i> , <b>1994</b> , 39: 56-61	
	9	Cheng, H. et al., "Spinal Cord Repair in Adult Paraplegic Rats: Partial Restoration of Hind Limb Function", <i>Science</i> , <b>1996</b> , 275, 510-513	
	10	Copeland, R.A. et al., "The Structure of Human Acidic Fibroblast Growth Factor and Its Interaction with Heparin", <i>Arch. Biochem. Biophys.</i> , <b>1991</b> , 289(1), 53-61	
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	11	Cunningham, et al., "High-Resolution Epitope Mapping of hGH-Receptor Interacting by Scanning Mutagenesis", <i>Science</i> , <b>June 1989</b> , 244, 1081-1085	
	12	Eriksson, A.E. et al., "Three-Dimensional Structure of Human Basic Fibroblast Growth Factor", <i>Proc. Natl. Acad. Sci.</i> , <b>1991</b> , 88, 3441-3445	
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	15	Fox, G.M. et al., "Production, Biological Activity and Structure of Recombinant Basic Fibroblast Growth Factor and a Analog with Cysteine Replaced by Serine", <i>J. Biol. Chem.</i> , <b>1988</b> , 263(34), 18452-18458	
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	20	Imamura, T. et al., "Recovery of Mitogenic Activityof a Growth Factor Mutant with a Nuclear Translocation Sequence", <i>Science</i> , <b>1990</b> , 249, 1567-1570	
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	21	International Search Report for PCT/US99/30534, mailed September 1, 2000	
	22	Issachi, A. et al., "A Mutant of Basic Fibroblast Growth Factor that has Lost the Ability to Stimulate Plasminogen Activator Synthesis in Endothelial Cells", <i>Ann. NY Acad. Sci.</i> , <b>1991</b> , 638, 369-377	
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	27	Logan, A. et al., "Transforming Growth Factor- $\beta$ 1 and Basic Fibroblast Growth Factor in the Injured CNS", <i>TIPS</i> , <b>1993</b> , 14, 337-343	
	28	Martin, P. "Wound Healing-Aiming for Perfect Skin Regeneration", <i>Science</i> , <b>1997</b> , 276, 75-81	
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	31	Presta, M. et al., "Structure-Function Relationship of Basic Fibroblast Growth Factor: Site-Directed Mutagenesis of a Putative Heparin-Binding and Receptor-Binding Region", <i>Biochem. Biophys. Res. Comm</i> , <b>1992</b> , 185(3), 1098-1107	
	32	Robinson, C.J. "Growth Factors in Wound Healing", <i>TIBTECH</i> , <b>1992</b> , 10, 301-302	
	33	SCIOS Annual Report, "Fiblast: A Special Report, <b>1996</b> , 8 pages	
	34	Seddon, A.P. et al., "Engineering of Fibroblast Growth Factor: Alteration of Receptor Binding Specificity", <i>Biochemistry</i> , <b>1995</b> , 34, 731-736	
	35	Seno, M. et al., "Carboxyl-Terminal Structure of Basic Fibroblast Growth Factor Significantly Contributes to its affinity for Heparin", <i>Eur. J. Biochem</i> , <b>1990</b> , 188, 239-245	
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	38	Ten Dijke, P. et al., "Growth Factors for Wound Healing", <i>Bio/Technology</i> , <b>1989</b> , 7, 793-798	
	39	Thompson, L.D. et al., "Energetic Characterization of the Basic Fibroblast Growth Factor-Heparin Interaction: Identification of the Heparin Binding Domain", <i>Biochemistry</i> , <b>1994</b> , 33(13), 3831-3840	
	40	Van Brunt, J. et al., "Growth Factors Speed Wound Healing", <i>Bio/Technology</i> , <b>1988</b> , 6(1), 25-30	
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	<b>41</b>	Watson, J. et al., <i>Molecular Biology of the Gene</i> , 1987, 1, 226-227	
	<b>42</b>	Wong, P. et al., "Analysis of Putative eparin-binding domains of fibroblast Growth Factor-1", <i>J. Biol. Chem.</i> , 1995, 270(43), 25805-25811	
	<b>43</b>	Young, W., "Spinal Cord Regeneration", <i>Science</i> , 1996, 273, 451	
	<b>44</b>	Zhang, J. et al., "Three-Dimensional Structure of Human Basic Fibroblast Growth Factor, a Structural Homolog of Interleukin 1 $\beta$ ", <i>Proc. Natl. Acad. Sci.</i> 1991, 88, 3446-3450	
	<b>45</b>	Zhu, X. et al., "Structural Studies of the Binding of the Anti-Ulcer Drug Sucroses Octasulfate to Acidic Fibroblast Growth Factor", <i>Structure</i> , 1993, 1, 27-34	
	<b>46</b>	Zhu, X. , "Three-Dimensional Structures of Acidic and Basic Fibroblast Growth Factors", <i>Science</i> , 1991, 251, 90-93	
	<b>47</b>	Zhu, H. et al., "Glu-96 of Basic Fibroblast Growth Factor is Essential for High Affinity Receptor Binding", <i>J. Bol. Chem.</i> , 1995, 270(37),21869-21874	
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<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	
	<b>48</b>	4,785,079	11/15/88	Gospodarowicz, et al.	530	399	
	<b>49</b>	4,902,782	02/20/90	Gospodarowicz, et al.	530	399	
	<b>50</b>	4,956,455	09/11/90	Esch, et al.	530	399	
	<b>51</b>	4,994,559	02/19/91	Moscattelli, et al.	530	399	
	<b>52</b>	5,026,839	06/25/91	Moscattelli, et al.	536	27	
	<b>53</b>	5,130,418	07/14/92	Thompson, S.A.	530	399	
	<b>54</b>	5,132,408	07/21/92	Baird, et al.	530	399	
	<b>55</b>	5,136,025	08/04/92	Scheuermann, et al.	503	413	
	<b>56</b>	5,143,829	09/01/92	Thompson, et al.	435	69.4	
	<b>57</b>	5,155,214	10/13/92	Baird, et al.	530	399	
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Country</b>	<b>Translation</b>		
					<b>YES</b>	<b>NO</b>	
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	<b>58</b>	5,191,067	03/02/93	Lappi, et al.	530	399	
	<b>59</b>	5,206,354	04/27/93	Seddon, et al.	536	23.5	
	<b>60</b>	5,217,954	06/08/93	Foster, et al.	514	12	
	<b>61</b>	5,252,718	10/12/93	Baid, et al.	530	399	
	<b>62</b>	5,302,702	04/12/94	Seddon, et al.	530	399	
	<b>63</b>	5,310,883	05/10/94	Seddon, et al.	530	399	
	<b>64</b>	5,331,095	07/19/94	Shadle, et al.	530	399	
	<b>65</b>	5,332,804	07/26/94	Florkiewicz, et al.	530	399	
	<b>66</b>	5,348,863	09/20/94	Monsan, et al.	435	68.1	
	<b>67</b>	5,350,836	09/27/94	Kopchick, et al.	530	399	
<b>FOREIGN PATENT DOCUMENTS</b>							
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	<b>68</b>	5,352,589	10/04/94	Bergonzoni, et al.	435	69.4	
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	<b>70</b>	5,371,206	12/06/94	Seddon, et al.	536	23.5	
	<b>71</b>	5,387,673	02/07/95	Seddon, et al.	530	399	
	<b>72</b>	5,439,818	08/08/95	Fiddes, et al.	435	240.2	
	<b>73</b>	5,459,250	10/17/95	Basilico, et al.	536	23.5	
	<b>74</b>	5,464,774	11/07/95	Baird, et al.	536	23.51	
	<b>75</b>	5,478,804	12/26/95	Calabresi, et al.	514	2	
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	<b>77</b>	5,491,220	02/13/96	Seddon, et al.	530	399	
<b>FOREIGN PATENT DOCUMENTS</b>							
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	<b>78</b>	WO 96/22369	07/25/96	PCT	<b>YES</b>	<b>NO</b>	
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	<b>79</b>	5,514,566	05/07/96	Fiddes, et al.	435	69.1	
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	<b>81</b>	5,576,288	11/19/96	Lappi, et al.	514	2	
	<b>82</b>	5,604,293	02/18/97	Fiddes, et al.	530	399	
	<b>83</b>	5,612,211	03/18/97	Wilson, et al.	435	378	
	<b>84</b>	5,614,496	03/25/97	Dunstan, et al.	514	12	
	<b>85</b>	5,656,598	08/12/97	Dunstan, et al.	514	12	
<b>FOREIGN PATENT DOCUMENTS</b>							
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					<b>YES</b>	<b>NO</b>	
	<b>86</b>	EP 0 237 966 A2	09/23/87	EPO			
	<b>87</b>	EP 0 281 822 A2	09/14/88	EPO			
	<b>88</b>	EP 0 363 675 A1	04/18/90	EPO			
	<b>89</b>	EP 0 420 222 A1	04/03/91	EPO			
	<b>90</b>	EP 0 510 662 A1	10/28/92	EPO			
	<b>91</b>	EP 0 281 822 B1	07/20/94	EPO			
	<b>92</b>	WO 90/02800	03/22/90	PCT			
	<b>93</b>	WO 91/09126	06/27/91	PCT			
	<b>94</b>	WO 91/14785	10/03/91	PCT			
	<b>95</b>	WO 95/08630	03/30/95	PCT			
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